

Notice of Allowability

Application No.

09/543,227

Examiner

Susanna M. Diaz

Applicant(s)

HELZERMAN, THOMAS HENRY

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment filed September 13, 2004.
2. ☒ The allowed claim(s) is/are 1-6, 21-28 and 30-35.
3. ☒ The drawings filed on 05 April 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Susanna Diaz
SUSANNA M. DIAZ
PRIMARY EXAMINER
AU 3623

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Randy Tung (Reg. No. 31,311) on November 22, 2004.

The application has been amended as follows:

(A) Please cancel claims 7-20 and 29.

(B) Please amend claims 1 and 21 as follows:

In Lines 12-13 of Claim 1:

Delete " , wherein the non-implemented preliminary concept is a concept that has not been previously implemented"

In Lines 33-35 of Claim 1:

Delete the following:

*"developing a generic non-site specific workplan, and
revising the generic non-site specific workplan to include unique requirements for each replication site;"*

Insert the following:

Art Unit: 3623

-- establishing a replication team consisting of key technology developers and representatives from each of the replication sites, said replication team being led by an appropriate operating activity within an advanced manufacturing technology development (AMTD) department, wherein a plurality of AMTD department's roles and responsibilities are defined on a case by case basis,

reviewing pilot application with potential replication customers,

developing a generic non-site specific workplan,

revising the generic non-site specific workplan to include unique requirements for each replication site wherein said unique requirements for each replication site are selected from projected intellectual property rights and regulatory requirements,

estimating human resources and skills required to replicate technology,

developing directional estimates of other resources required for replication, and

agreeing on roles and responsibilities between operations and manufacturing departments including project closure requirements; --

In Lines 9-11 of Claim 21:

Delete " , wherein the non-implemented preliminary concept is a concept that has not been previously implemented"

In Line 32 of Claim 21:

After "confirming a replication plan," insert the following:

-- wherein the step of confirming a replication plan further comprises the steps of:

confirming a business case, conditions and economic constraints;

calculating a proposed project's plan tryout "time adjusted rate of return"

("TARR");

comparing the TARR to the manufacturer's TARR requirements;

confirming effect of local requirements at each proposed replication site;

identifying any economic constraints;

estimating the effects of identified economic constraints upon the

proposed replication plan; and

summarizing the business case in terms of investment and total expected

savings by a cost labor category and a material category; --

Reasons for Allowance

2. Claims 1-6, 21-28, and 30-35 are allowed.

3. The following is an examiner's statement of reasons for allowance:

The closest prior art of record is:

Ford Motor Company's Best Practice Replication (BPR) Process (which has been in existence since 1996), as disclosed in the following references:

"FGTI - Best Practice Replication Process (BPR) Web Site" (retrieved from <http://www.fordbetterideas.com/tc/main/featuredtech/best.htm> on August 22, 2003;

Art Unit: 3623

states that "development is complete and implementation at Ford Motor Company began in 1996, page 2);

Anthes, "Defending Knowledge" (published February 16, 1998);

Anthes, "Learning How to Share" (published February 23, 1998);

"Ford Connecting to Consumers Via E-Business" (published September 15, 1999; states that the BPR program has been in effect since 1996, ¶ 23);

Dixon, "The Changing Face of Knowledge" (published 1999; describes Ford's Best Practice Replication system, which has been in existence since 1996);

Ford Motor Company's "Best Practice Replication Manual" (copyright 2002; however, Applicant supplied this reference and stated that "the manual remains substantially unchanged since its original development in 1996" on page 17 of the after-final amendment filed on February 13, 2004).

As per claim 1, BPR teaches details regarding the development of a replication plan using identified sites, creating and modifying electronic concept proposal worksheet files, and the prioritization of replication sites. However, while the concept of assessing the feasibility of a technology to manufacture a desired product is deemed to be inherent to Ford's Best Practice Replication Process, BPR fails to explicitly provide specific details of how such a feasibility is assessed. More specifically, BPR fails to explicitly teach the following steps: performing a manufacturing concept ready procedure, effective to verify that said certain technology is capable of manufacturing said desired product under simulated conditions, performing a manufacturing

Art Unit: 3623

implementation procedure, effective to verify that said certain technology is functionally sound and meets certain quality and cost criteria, and performing a replication procedure, effective to implement multiple applications of said certain technology within other manufacturing processes. Furthermore, BPR does not expressly disclose the steps of establishing a replication team consisting of key technology developers and representatives from each of the replication sites, reviewing pilot application with potential replication customers, revising the generic non-site specific workplan to include unique requirements for each replication site wherein said unique requirements for each replication site are selected from projected intellectual property rights and regulatory requirements, estimating human resources and skills required to replicate technology, developing directional estimates of other resources required for replication, and agreeing on roles and responsibilities between operations and manufacturing departments including project closure requirements. While the Examiner submits that each of these steps missing from BPR is individually old and well-known in the art of project planning, the Examiner asserts that the combination of all of the steps recited in claim 1 is not disclosed or suggested by the prior art of record; therefore, claim 1 and dependent claims 2-6, 28, and 30-34 are deemed to be allowable over the prior art of record.

As per claim 21, BPR teaches details regarding the development of a replication plan using identified sites, creating and modifying electronic concept proposal worksheet files, and the prioritization of replication sites. BPR also teaches the confirmation of a replication plan and calculation of a TARR; however, BPR does not

Art Unit: 3623

expressly disclose the steps of confirming a business case, conditions and economic constraints, comparing the TARR to the manufacturer's TARR requirements, confirming effect of local requirements at each proposed replication site, identifying any economic constraints, estimating the effects of identified economic constraints upon the proposed replication plan, and summarizing the business case in terms of investment and total expected savings by a cost labor category and a materials category. While the Examiner submits that each of these steps missing from BPR is individually old and well-known in the art of project planning, the Examiner asserts that the combination of all of the steps recited in claim 21 is not disclosed or suggested by the prior art of record; therefore, claim 21 and dependent claims 22-27 and 35 are deemed to be allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kawai et al. (JP 11-219346 A) -- Discloses a simulation system for devising a company action plan.

Art Unit: 3623

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susanna M. Diaz whose telephone number is (703) 305-1337. The examiner can normally be reached on Monday-Friday, 9 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Susanna M. Diaz
Primary Examiner
Art Unit 3623
November 22, 2004

Examiner's AND attached!

Appl. No. 09/543,227

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

(1) (currently amended): A method for developing and performing a manufacturing project comprising the steps of:

- providing a communication mechanism for a plurality of users associated with the manufacturing project to efficiently communicate with each other;
- providing a plurality of electronic concept proposal worksheet files, wherein each of the plurality of electronic concept worksheet proposal files defines a selected concept proposal, and wherein each of the concept proposals formed initially from a non-implemented preliminary concept used to develop at least one of a manufacturing technology, a process and a methodology, wherein the non-implemented preliminary concept is a concept that has not been previously implemented;
- selectively communicating the plurality of electronic concept worksheet proposal files to a plurality of users of the communication mechanism;
- modifying the electronic concept worksheet proposal files;
- entering the modified electronic concept worksheet proposal files into a proposal database;
- using the proposal database to generate at least one complete project proposal;
- performing a manufacturing concept ready procedure, effective to verify that said certain technology is capable of manufacturing said desired product under simulated conditions;
- performing a manufacturing implementation procedure, effective to verify that said certain technology is functionally sound and meets certain quality and cost criteria;

Appl. No. 09/543,227

developing a replication plan wherein the replication plan comprises the substeps of

identifying a plurality of replication sites,

developing a replication plan using the identified replication sites,

developing a generic non-site specific workplan, and

revising the generic non-site specific workplan to include unique requirements for each replication site;

prioritizing replication sites in accordance with a confirmed replication plan; and

performing a replication procedure in accordance with the confirmed replication plan.

(2) (original): The method of claim 1 further comprising the step of:

assembling a workforce for performing said project.

(3) (currently amended): The method of claim 2 further comprising the steps of:

providing orientation and communication processes for said workforce;

providing career development that advances the workforce along career paths to become technical specialists and training processes for said workforce; and

providing reward and recognition processes for said workforce, wherein the step of providing reward and recognition processes for said workforce further comprises recognizing technical and non-technical contributions by the team, wherein said awards ~~may be~~ are selected from at least one of technology awards, technical achievement awards, operational excellence awards, and patent incentive awards.

Appl. No. 09/543,227

(4) (original): The method of claim 3 further comprising the step of:

performing a procedure to establish logistic metrics pertaining to project performance and budgeting.

(5) (original): The method of claim 4 further comprising the step of:

forming manufacturing technology committees; and convening said committees on a regular basis to define effective strategies to advance global manufacturing competitiveness.

(6) (original): The method of Claim 5 wherein said project is related to the manufacture of an automotive vehicle.

(7) (withdrawn): A method for developing and performing a manufacturing project comprising the steps of:

establishing logistic metrics relating to project performance and budgeting;

executing said project in a plurality of phases;

performing a milestone review at the completion of each of said plurality of phases, said milestone review being effective to insure that affected parties are informed of certain project issues; and

maintaining a project timing plan including said logistic metrics and said milestone reviews.

(8) (withdrawn): The method of claim 7 wherein plurality of phases comprises a concept proposal phase.

(9) (withdrawn): The method of claim 8 wherein plurality of phases further comprises a concept feasibility phase.

Appl. No. 09/543,227

(10) (withdrawn): The method of claim 9 wherein plurality of phases further comprises a manufacturing concept ready phase.

(11) (withdrawn): The method of claim 10 wherein plurality of phases further comprises a manufacturing implementation ready phase.

(12) (withdrawn): The method of claim 11 wherein plurality of phases comprises a replication phase.

(13) (withdrawn): A method for developing and performing a manufacturing project comprising the steps of:

- providing a concept proposal based upon at least one customer need;

- demonstrating that a technology is capable of providing said customer need through a certain process;

- verifying that said certain process is capable of providing said at least one customer need under simulated conditions expected during a production application, while meeting certain cost and timing requirements;

- verifying and demonstrating that said technology is functionally sound and has a certain quality value and cost value; and

- implementing multiple applications of said technology in manufacturing operations.

(14) (withdrawn): The method of claim 13 further comprising the step of performing a milestone review meeting to insure that affected parties are informed certain project issues after each step.

Appl. No. 09/543,227

(15) (withdrawn): The method of claim 13 wherein said review of technology includes identifying a best in class technology and a state-of-the-art technology.

(16) (withdrawn): The method of claim 15 further comprising the step of:

convening committees on a regular basis to assess best in class technologies and state-of-the-art technologies.

(17) (withdrawn): The method of claim 16 further comprising the step of:

establishing logistic metrics relating to project performance and budgeting by manufacturing wants.

(18) (withdrawn): The method of claim 17 further comprising the step of:

conducting time and data management meetings.

(19) (withdrawn): The method claim 18 further comprising the steps of:

closing said project only if customer concurrence has been received or if said project has been terminated.

(20) (withdrawn): The method of claim 19 wherein said manufacturing project relates to the production of an automotive vehicle.

Appl. No. 09/543,227

(21) (currently amended): A method for developing and performing a manufacturing project comprising the steps of:

providing a communication mechanism for a plurality of users associated with the manufacturing project to efficiently communicate with each other;

providing a plurality of concept proposals, wherein each of the concept proposals formed initially from a non-implemented preliminary concept used to develop at least one of a manufacturing technology, a process and a methodology, wherein the non-implemented preliminary concept is a concept that has not been previously implemented;

providing a plurality of electronic concept proposal worksheet files, wherein each of the plurality of electronic concept worksheet proposal files defines a selected concept proposal;

selectively communicating the plurality of electronic concept worksheet proposal files to a plurality of users of the communication mechanism;

modifying the electronic concept worksheet proposal files;
entering the modified electronic concept worksheet proposal files into a proposal database;

using the proposal database to generate at least one complete project proposal; and

implementing multiple applications of said technology in manufacturing operations by performing the substeps of

identifying a plurality of replication sites,
developing a replication plan using the identified replication sites,

developing a generic non-site specific workplan;
revising the generic non-site specific workplan to include unique requirements for each replication site,

Appl. No. 09/543,227

confirming a replication plan,
prioritizing replication sites in accordance with a
confirmed replication plan, and
performing a replication procedure in accordance with
the confirmed replication plan.

Claim (22) (previously presented): The method of claim 21
further comprising the step of performing a milestone review
meeting to insure that certain project issues have been
accomplished after each step.

Claim (23) (currently amended): The method of claim 21
further comprising the step of:

reviewing technology, wherein said step of reviewing
technology includes the substeps of
identifying a best in class technology, wherein the
best in class technology is an existing product or process
that represents superior value to a customer relative to all
similar products or processes, and
identifying a state-of-the-art technology.

Claim (24) (previously presented): The method of claim 23
further comprising the step of:

convening committees on a regular basis to assess best in
class technologies and state-of-the-art technologies.

Claim (25) (previously presented): The method of claim 24
further comprising the step of:

establishing logistic metrics relating to project
performance and budgeting by manufacturing wants.

Appl. No. 09/543,227

Claim (26) (previously presented): The method of claim 25 further comprising the step of:

conducting time and data management meetings.

Claim (27) (previously presented): The method of claim 26 wherein said manufacturing project relates to the production of an automotive vehicle.

Claim(28) (currently amended): The method of claim 1, wherein the substep of developing a replication plan using the identified replication site further comprises the steps of:

recommending the sequence of replicating within the identified replication sites;

describing unique local requirements for each identified replication site, wherein said unique requirements for each replication site are selected from projected intellectual property rights and regulatory requirements; and

establishing an issues deck to document new data that would be useful for replication planning.

(29) (currently amended): The method of claim 1, wherein the substep of developing a replication plan using the identified replication sites further comprises the steps of:

establishing a replication team consisting of key technology developers and representatives from each of the replication sites, said replication team being led by an appropriate operating activity within an advanced manufacturing technology development (AMTD) department, wherein a plurality of AMTD department's roles and responsibilities are defined on a case by case basis;

Appl. No. 09/543,227

reviewing pilot application with potential replication customers;

developing a generic non-site specific workplan;

revising the generic non-site specific workplan to include unique requirements for each replication site wherein said unique requirements for each replication site are selected from projected intellectual property rights and regulatory requirements;

estimating human resources and skills required to replicate technology;

developing directional estimates of other resources required for replication; and

agreeing on roles and responsibilities between operations and manufacturing departments including project closure requirements.

(30) (previously presented): The method of claim 1, further comprising the step of confirming a replication plan, wherein the step of confirming a replication plan further comprises the steps of:

confirming a business case, conditions and economic constraints;

calculating a proposed project's plan tryout "time adjusted rate of return" ("TARR");

comparing the TARR to the manufacturer's TARR requirements;

confirming effect of local requirements at each proposed replication site;

identifying any economic constraints;

estimating the effects of identified economic constraints upon the proposed replication plan; and

Appl. No. 09/543,227

summarizing the business case in terms of investment and total expected savings by a cost labor category and a materials category.

(31) (previously presented): The method of claim 1, wherein the step of prioritizing replication sites in accordance with a confirmed replication plan further comprises the step of:

developing a prioritized listing of replication sites using business conditions, cycle plans, and available vendor resources.

(32) (previously presented): The method of claim 1, wherein the step of modifying the electronic concept worksheet proposal files further comprises the steps of :

finalizing project workplan information; and
refining estimate information for required resources and project benefits.

(33) (previously presented): The method of claim 1, wherein the step of using the proposal database to generate at least one complete project proposal further comprises the step of:

submitting the modified electronic concept worksheet proposal files to an activity coordinator; and

comparing the modified electronic concept worksheet proposal files with timing rules, guidelines, and standards to ensure that the modified electronic concept worksheet proposal files meet associated timing rules, guidelines, and standards.

Appl. No. 09/543,227

(34) (currently amended): The method of claim 1 further comprising the steps of:

determining a plurality of potential failure modes of said replication plan, wherein the step of determining includes documenting said failure mode analysis based on long term performance criteria, wherein said long term performance criteria is selected from at least one of process potential, process potential with customer concurrence, a mean time between failures, and a mean time to repair;

determining a corresponding plurality of safeguards needed for protection against each of said plurality of potential failure modes for said replication plan; and

developing a plurality of production procedures to adjust to each of said plurality of potential failure modes.

35 (New): The method of claim 21 wherein the previously non-implemented preliminary concept is created in response to a customer need.